



TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

August 16, 2012

TO: Internal File

THRU: Joe Helfrich, Lead 

FROM: Ingrid Campbell, Environmental Scientist III 

RE: Midterm Permit Review, Energy West Mining Company, Trail Mountain Mine, Permit C/015/0009, Task ID #4106

SUMMARY:

On June 8, 2012, the Division notified Energy West Mining Company of the commencement of the midterm permit review. The Division identified the following items as part of the midterm review:

- A. Review of the Plan to ensure that the requirements of all permit conditions, division orders, notice of violations (NOV), abatement plans, and permittee-initiated Plan changes approved subsequent to permit approval or renewal (whichever is the most recent) are appropriately incorporated into the Plan document.
- B. Ensure that the Plan has been updated to reflect changes in the Utah Coal Regulatory Program which have occurred subsequent to permit approval or renewal.
- C. Review applicable portions of the permit to ensure that the Plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
- D. Evaluate the compliance status of the permit to ensure that all unabated enforcement actions comport with current regulations for abatement; verify the status of all finalized penalties levied subsequent to permit issuance or permit renewal, and verify that there are no demonstrated patterns of violation (POV). This will include an AVS check to ensure that Ownership and Control information is current and correct.

E. Evaluate the reclamation bond to ensure that coverage adequately addresses permit changes approved subsequent to permit approval or renewal, and to ensure that the bond amount is appropriately escalated in current-year dollars.

F. Evaluate the permit for compliance with variances or special permit conditions.

G. Optional for active mines, mandatory for reclamation only sites: conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness for operational, reclamation, and contemporaneous reclamation practices undertaken on predetermined portions of the disturbed area to minimize, to the extent practicable, the contribution of acid or toxic materials to surface or groundwater, and to otherwise prevent water pollution.

The midterm review is recommended for approval. However, the Division requests that the permittee provide an update on the status and future plans for Task 3858, Permit Area Modification.

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

GENERAL

Regulatory Reference: 30 CFR 783.12; R645-301-411, -301-521, -301-721.

Analysis:

The Trail Mountain Mine has been in temporary cessation since May 4, 2001. All mining equipment including production, belt haulage and electrical was removed. The mine portals were sealed on May 1, 2001. No reclamation work, construction or operations have occurred at the site during this time. Therefore, a site visit was not conducted for this midterm permit review. The Division's Master list of commitments contains no pending commitments for the Trail Mountain Mine. One application regarding the Trail Mountain Permit area was never completed, which is explained in more detail under the Permit Area section of this memo.

Findings:

The information provided in the Mining and Reclamation plan is considered adequate to meet the regulations.

PERMIT AREA

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

Analysis:

Energy West applied for a permit area modification for the trail mountain mine on June 9, 2011 (task 3858). This permit area modification delineated the adjacent area and the potential hydrologic impact area. The Division sent a list of deficiencies to Energy west on July 28, 2011. Energy West never responded to this list of deficiencies and the permit area was therefore not altered.

Findings:

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The information in the Mining and Reclamation Plan is adequate to meet the requirements for the Permit Area section of the regulations. However, the Division requests that the permittee provide an update on the status and future plans for task 3858, Permit Area Modification.

HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.12; R645-301-411.

Analysis:

The Historical and archeological Resource Information for the Trail Mountain Mine is located in the confidential binder of the Mining and Reclamation Plan. Since the mine has been idled in 2001, no new cultural resource evaluations have been necessary or completed.

Findings:

The information included in the Mining and Reclamation Plan is adequate to meet the requirements for the Historic and archeological resource information regulations.

RECOMMENDATIONS:

The midterm review is recommended for approval at this time.

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